223 Nests and young birds are not respected, and are taken just as adults are.

224 In the mountains (Jbil) of the Aith Waryaghar, when a hunter (anigmar, pl. inigmarn) going over snow follows the tracks of an animal to a thicket or cave, he walks around it, leaving his footprints and making a circle in order to show that it is his property and that he will explore it on his return. Any other hunter or party respects this. Any animal which falls within the radius of action of the weapon used[68] is the property of whoever killed it.

671 684 b) Personal Law: If a woman accuses someone of dishonest abuse to her person, her testimony is admitted....A woman who is illegally pregnant pays 50 duros from her own property as a fine. If she was forced against her will, and the man who forced her appears, he pays. If she submitted to him willingly, he and she each pay 25 duros[69]. If she has no property, her brothers or male agnates pay[70].

685 695 c) Fine for Theft inside a House: 50 duros. If there is no proof, five adult and trustworthy agnates of the accused must swear to his innocence[71], at least if they have publicly announced in the market not to make themselves jointly liable.

688 793 d) Whoever fails to provide food for the fqih when his turn comes up to do so must pay 2 pesetas[72].

685 231 e) A herdboy who has animals stolen from him while in dhwara[73] must pay for them if he has not seen them stolen. The same holds true for injuries which the animals might suffer....Whoever does not pasture the animals of his jma'th when his turn comes up pays 2 pesetas and one loaf of bread, and has to give a meal to the person who does it for him, or to the jma'th if no one does so.

and, second, diligence, both of which are qualities also needed by judges of The Law[189], who, in order to manipulate their terrible weapon, the pen, need attitudes of repose, and sheltered places where they can keep their books and papers and even hide their faces.

Incidents which arise during hunts are examined most often by passing them to the mulu' of the same hunting party. He settles them on the spot, giving his judgment on the matter, and in the event that the question must go up in front of the imgharen, the latter limited themselves to doing their duty and to putting into effect the opinion of the mulu', a natural arbiter.

Thus it had to be; and if, for example, there was a hunting incident in the snow, the best possible proof of which was individual tracks or footprints, this required, on the part of the judge, diligence in copying or studying before it was rubbed out.

The usual sanction, all over the Rif, for hunting incidents is a fine of 25 pesetas.[190]

For the examination of different cases which tend to come up often, we have grouped them in the following categories, which facilitate consultation even though they are somewhat arbitrary.

F) Game:

1) A bird knocked down in flight within the range of vision of the hunters belongs to whoever hits it, until, having hit the ground, it flies up again, in which case, and if it is not wounded again, it belongs to whoever catches it.

2) If a bird or animal is hit simultaneously by several hunters, it belongs to whoever catches it; and if several people should catch it at once, it is divided among them (Aith 'Ammarth).

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at once, it is divided among them (Aith 'Ammarth). In the Sanhaja Srir, the mulu' sometimes resolves the question of ownership by hefting the sticks of those who are disputing and giving it to the man whose stick weighs most.

3) Animals or birds disputed about without sufficient proof of ownership are taken away from both parties and handed over to the mulu' (Ibuqquyen).

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4) An animal or bird hit both by a shot and by a stick belongs to the man with the stick if it falls less than twenty steps from where the latter threw, and to the man with the gun if the distance is over twenty steps (Aith 'Ammarth).

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5) A bird hit by a shot and caught by another hunter in whose vicinity it falls belongs, if it falls down dead, to the man who fired the shot, and to the other man if it is only wounded and if he pursues it and finishes it off. If there are no witnesses, whoever gets it
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must say if it fell down alive or not, and an oath to this effect can be demanded of him (Sanhaja Srir).

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6) Any bird or animal which has fallen outside the range of vision of a hunter belongs to whoever finds it if he is going hunting also; and if he is not, it belongs to whoever wounded it (in the same way that in the method of acquiring property by vivification, this case shows a recompense for physical effort, denying rights of recovery to a goatherd or a traveler whom luck might favor instead of the hunter)

7) A bird or animal sitting in a thicket or in its den belongs
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to whoever discovers it; and the latter must make his discovery known by raising his stick and crying out "l-'adaw", these both being signs of recovery (Ibuqquyen and Aith Waryaghar).

671 224 [804] If, however, the animal should flee and be killed by another hunter, it (still) belongs to the one who discovered it, although he may not have shot or thrown at it, provided that the distance from the point where it fell to that where it was discovered can be covered by a stone's throw, done either by him himself or by another hunter designated by him, with, furthermore, the choice of either point as that of the stone-throw being open to him (either where the animal fell or where it got up). This is done in order to utilize the slope, if.....this distance had not been previously established.

671 223 224 8) An animal or bird flushed up by a hunter is his if he does not pass beyond a distance of forty feet counted from the point at which it was flushed, and even though the shot may have missed it or if it was overtaken by a dog (Sanhaja Srir).

[681] 9) If an animal or bird wounded by one hunting party is finished off and collected by another one, it belongs to the first party, to which it must be returned even though it may already be cooked; and if it has been eaten, the second party must pay the first 25 pesetas as compensation (Sanhaja Srir).

671 223 623 10) Nests belong to whoever discovers them, and in the event that they are saved as bait in order to hunt the mother with a trap or net, the site must be shown to the jma'th, in order to insure priority rights.

G) Dogs:[191]

671 223 224 231 1) Animals or birds picked up by dogs are not for the owner of the dog, but for whoever takes them out of his mouth (Aith 'Ammarth). This is based upon the fact that if the dogs are not trained, they will

671 223 224 231 eat the birds or animals instead of taking them to their masters. However, from another point of view, it is probably not a bad thing to let them taste meat once in their lives, for not everything in their diet must be bones!

[411] 2) If, at the moment it is flushed, an animal or bird is wounded with a gun or stick and then immediately caught by a dog, so that the result of the blow cannot be determined, it is for the hunter and not for the owner of the dog (Ibuqquyen).

[804] 3) Also for the hunter is any animal or bird which, wounded by him, continues to run and is overtaken by a dog within a radius of fourteen stick-lengths (dhigharya or dhigharyin, sing. dhaghrith, "stick"), counted from the site where the animal was wounded, provided that it shows a fracture. If it does not show a fracture or if it passes this radius, it belongs to the owner of the dog or to whoever picks it up (Ibuqquyen and Aith Waryaghar).

4) An animal pursued by a saluki which succeeds in hiding itself in a thicket or burrow belongs to the first man (i.e. the owner of the saluki), even though another hunter may come to get it (Ibuqquyen).

5) An animal or bird pursued by a saluki and brought to earth by a hunter is for the latter if it drops within the aforementioned radius of fourteen dhigharya (Ibuqquyen and Aith Waryaghar).

H) Aid During the Hunt:

671 224 Whoever discovers an animal in hiding can solicit aid in getting it or can get others to help him spontaneously, without losing his property (i.e. the animal) in either case; but he is obliged, if the

671 224 423 627 681 be known that one of the parties involved obliged the other one to swear, even knowing that the latter was right, the first party is fined 25 pesetas over and above the value of the animal (Aith Waryaghar).[193]

671 224 4) Animals found on someone's plot of land belong to the man who catches them and not to the owner of the land (Aith 'Ammarth).[194]

J) Nets and Snares:

● 223 After threshing has been completed in the late summer, threshing floors somewhat distant from the villages are used in order to hunt partridges with nets.[195] The threshing floor is prepared for this purpose, with straw and grains wasted as fodder. It is then surrounded with a semi-circular fence, a sign that it is prepared for birds.

671 223 (685) On a threshing floor, the preferential right to any game caught is that of the owner of the floor. In a floor marked out as indicated above, only the indiviual who prepared it may hunt. Any other person who tries to do so is considered a thief, and the fine he must pay is calculated on the basis of the number of partridges in the net. This right is based upon the patient preparation and expense of fodder, as bait.

223 224 After the den of a rabbit or hare or the nest of a partridge has been discovered, the hunters sprinkle the path to it with the grain residues of threshing in order to gain the animal's confidence; and when they consider it gained, they put the trap hidden between the earth and the remains of the threshed straw.

223 If partridges are being hunted, the net has a truncated conical form. The smaller end is placed in front of the nest and the larger tied to the ground with string or rope. The more the partridge tries to move forward, the more imprisoned it is.

685 671 Theft of nets is generally punished by a fine in accordance with the written qanuns of the tribes.

224 K) Hunting of Jackals (Uhar), Wolves (Ushshan) and Foxes (Dhawardha):[196]

This is effected with an iron trap (dhakhshifth), with various strategems employed because of the cunning of the animals in question. Frequently one of these animals attacks the goats furthest away, and tears them into pieces before the goatherd can arrive. The remains of the goat are tied to a branch, and below them, hidden in the ground, the traps are placed in a circle. They are usually left there for a long time, for if their positions are changed, the animal or animals are apt to become wary. The jackal, after conscientious study and with maximum caution, succeeds most of the time in getting within the circle without harming himself, but the repeated jumps, each time with greater impulse, which he is obliged to make in order to get at the goat, end up with his getting caught in one of the traps (Zarqat).

224 184 825 In the Ibuqquyen, the bait is usually a reed tube full of horse-flies and covered with very rancid butter; this is hidden in the ground, and the traps are placed around it. The wary jackal usually gets inside the circle, attracted by the smell of the butter; but as the cautious animal scratches and bites, he is frightened by the flies, loses his head, and in one of his disorderly leaps, he lands on one of